

FY 2017-18 Supplemental Comeback Requests for Executive Branch Agencies

January 31, 2018



Department:	Department of Personnel & Administration / Governor's Office of
	Information Technology
Title:	Human Resources Information System Capital IT Supplemental

	Previous Appropriations	FY 2017-18 Supplemental Request <1>	JBC Action	Comeback Request	Difference Between Action and Comeback Request
Total	\$31,288,801	\$2,888,529	\$0	\$2,888,529	\$2,888,529
FTE	0.0	0.0	0.0	0.0	0.0
GF	\$31,288,801	\$2,888,529	\$0	\$2,888,529	\$2,888,529
CF	\$0	\$0	\$0	\$0	\$0
RF	\$0	\$0	\$0	\$0	\$0
FF	\$0	\$0	\$0	\$0	\$0

<1> Table reflects capital IT supplemental request only. (This project has a companion supplemental operating reduction request also tabled.)

Summary of Initial Request:

The Governor's Office of Information Technology (OIT), in conjunction with the Department of Personnel & Administration (DPA), submitted the following FY 2017-18 supplemental requests related to the replacement of the Time and Leave tracking component of the Human Resources Information System, now referred to as "HRWorks:"

- A *capital* IT supplemental for \$2,888,529 Capital Construction Funds to partially pay for a system replacement as well as staff and support costs related to the timeline delay of the project; and,
- An *operating* supplemental reduction of (\$5,379,651) Reappropriated Funds based on the belief that this change will result in operational savings.

The capital IT supplemental request for additional funds reflects a decision to implement a new Time and Leave solution component for the HRIS system. This decision was prompted when the State encountered issues with the integration between the Time and Leave and payroll components. The State learned through analyzing potential solutions that implementing a replacement Time and Leave solution would result in significant cost savings over the life of the project.

Note that the capital IT supplemental request represents a conversion of an FY 2017-18 Emergency 1331 capital IT supplemental submitted on August 30, 2017 to the Joint Technology Committee (JTC) in the same amount (\$2,888,529 Capital Construction Funds). Also, a companion FY 2018-19 capital IT request has been submitted for \$7,414,260 Capital Construction Funds. Both the capital IT supplemental and the FY 2018-19 request are necessary to completely fund this replacement project.

Committee Action:

The Committee did not take action on the FY 2017-18 Emergency 1331 capital IT request. The Joint Technology Committee considered it three times, voting once to recommend funding the request, once to recommend *not* funding the request, and once without a finding for or against the request.

The Committee met to discuss IT capital supplemental requests on January 24 but did not take action on the HRWorks supplemental operating or capital requests; both were tabled. The JTC did not discuss or take action on the regular IT capital supplemental request prior to the January 15th deadline, and no recommendations were made to the JBC.

OSPB Comeback:

The Office of State Planning and Budgeting respectfully requests that the Committee approve the two IT supplemental requests for the HRWorks project: (1) the *capital* request for \$2,888,529 in Capital Construction Funds; and (2) the *operating* request for a reduction of (\$5,379,651) Reappropriated Funds. The State is projected to save approximately \$3.4 million between FY 2017-18 and FY 2026-27 by selecting CGI as its Time and Leave vendor.

To date, the project is approximately 45 percent complete. The State is continuing to move the HRWorks project forward, working with both Workday and CGI to complete the project by the October 2018 deadline.

Consequences of Not Approving:

If the JBC does not approve this capital IT supplemental request (and the companion FY 2018-19 capital IT request of \$7.4 million), the State will be presented with the following consequences:

- The State will be forced to stop full implementation of the HRWorks project; available resources will only fund the project through March 2018. Nonetheless, the need for an integrated enterprise resource planning (ERP) system still exists. The State is a large employer and cannot continue to rely on the current system indefinitely. If the State were to stop the current project it would need to evaluate the portions of the project that could be retained for useful functionality, but would likely need to submit future funding requests, particularly for the replacement of Colorado Personnel & Payment System (CPPS), for the critical human resource functions.
- The State will have approximately \$20 million of sunk costs as a result of not proceeding with this project.
- The State will continue to rely on the decades-old CPPS jeopardizing accurate and timely payroll to the State's 33,000 employees. CPPS is based on 20-year old technology COBOL that is highly customized and no longer supported by the vendor. CPPS currently shows signs of instability and is down on 10 percent of working days. A significant system failure would leave the State with no alternative to pay employees, causing significant hardship for many and placing the State in violation of state and federal labor laws.
- Continued reliance on CPPS and the Colorado Labor Allocation System (CLAS) puts at risk over \$10 billion in federal funds annually. CLAS was implemented as a temporary solution to interface between CPPS and CORE and has numerous manual processes that are subject to error.

Several audit findings regarding CPPS will go unresolved. In addition to spending the State's
resources on a system that needs to be replaced, customizations introduce further instability
into CPPS.

Additional Information to Consider:

Please note the following companion requests to this \$2,888,529 capital IT supplemental:

- An FY 2017-18 supplemental *operating* request for a reduction of (\$5,379,651) Reappropriated Funds.
- An FY 2018-19 capital IT request for \$7,414,260 Capital Construction Funds.
- An FY 2018-19 Decision Item for an operating reduction of (\$1,649,287) Reappropriated Funds.

New Information About State Payroll Policies:

During the technical implementation phase of this project, the State has learned that the statutes that govern payroll policies require a change to allow the State to pay employees on a bi-weekly basis. Doing so will increase administrative efficiencies and allow departments to take the fullest advantage of the State's new payroll system functionality.

The Department of Personnel and Administration will be available to provide technical information about this change, but the OSPB respectfully requests that the Joint Budget Committee initiate drafting of legislation to this effect as a companion to the supplemental package.

Department:	Department of Corrections
Title:	S-01 Prison Capacity

	FY 2017-18 Appropriation	FY 2017-18 Supplemental Request	JBC Action	Comeback Request	Difference Between Action and Comeback Request
Total	\$864,740,250	\$10,474,043	\$5,794,167	\$10,474,043	\$4,679,876
FTE	6247	22.3	0	22.3	22.3
GF	\$769,192,172	\$11,049,352	\$6,371,887	\$11,049,352	\$4,677,465
CF	\$39,760,660	(\$575,309)	(\$577,720)	(\$575,309)	\$2,411
RF	\$51,620,128	\$0	\$0	\$0	\$0
FF	\$4,167,290	\$0	\$0	\$0	\$0

Summary of Initial Request:

On January 16th, 2018, the Department of Corrections submitted two supplemental adjustments to FY 2017-18 appropriations, S-01 Prison Capacity (\$10,474,043 total funds) and S-02 Medical Caseload (\$2,156,130 General Fund). The focus of this comeback request is the S-01 Prison Capacity request.

The Department proposed a three-part approach for addressing prison bed needs in FY 2017-18. First, the Department requested \$6,043,056 General Fund in the External Capacity program in FY 2017-18 for an additional 392 private prison beds. Second, the Department requested \$4,833,782 General Fund, \$2,411 in cash funds spending authority, and 22.3 FTE in FY 2017-18 to temporarily lease a private prison and operate 250 beds with DOC staff (of this sum, \$350,000 is one-time General Fund in FY 2017-18 to begin the necessary steps to house general population offenders at Centennial Correctional Facility-South (CCF-S)). Third, the Department requested \$172,514 to cover the food costs resulting from an increase in the offender population at La Vista Correctional Facility (LVCF). Finally, the Department also requested that the Committee take up the \$636,000 capital construction request to add recreation yards at CCF-S (this capital construction request has already been approved by the Capital Development Committee on June 7, 2017) and introduce legislation that allows offenders to be housed at CCF-S.

Committee Action:

On Tuesday, January 23rd, 2018, the Joint Budget Committee declined to take action on a significant portion of the Department's S-01 Prison Capacity request. The Office of State Planning and Budgeting (OSPB) thanks the Committee for their approval of the S-02 Medical Caseload request (\$2,156,130 General Fund), as well as for the portions of the S-01 Prison Capacity request that relate to External Capacity (\$6,043,056 General Fund increase and \$577,720 cash funds decrease) and Food Service at LVCF (\$172,514 General Fund). OSPB also thanks the Committee for their approval of \$156,317 General Fund that has already been spent pursuant to an approved September 1331 emergency supplemental request. At issue is the \$4,679,876 total funds and 22.3 FTE that have not been approved for the temporary lease of 250 beds at a private prison facility.

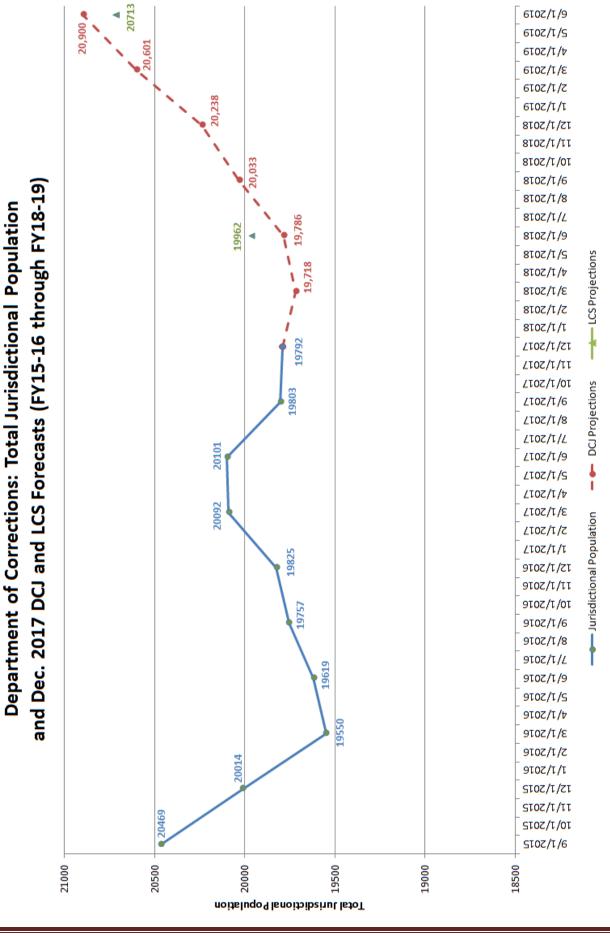
OSPB Comeback:

OSPB respectfully requests that the Committee approve the Department of Corrections' request for \$4,679,876 total funds (\$4,677,465 General Fund and \$2,411 cash funds) and 22.3 FTE to temporarily lease 250 prison beds at a private prison facility. An accounting of what was approved by the Committee on 1/23/18 can be found below in Table 1. This comeback request constitutes the difference between the original request and the approved items.

Table 1: S-01 Prison Capacity Comeback Request				
	Total Funds	General Fund	Cash Funds	FTE
Original S-01 Prison Capacity Request	\$10,474,043	\$11,049,352	(\$575,309)	22.3
Approved External Capacity	\$5,465,336	\$6,043,056	(\$577,720)	0
Approved LVCF Food Costs	\$172,514	\$172,514	\$0	0
Approved officer supplies from September 1331	\$156,317	\$156,317	\$0	0
Difference between JBC action and request	\$4,679,876	\$4,677,465	\$2,411	22.3

As previously noted, the Committee approved an increase of 392 private prison beds when it approved the external capacity portion of the Department's S-01 Prison Capacity request. Without the approval of 250 beds leased from a private prison, the Department will need to contract an additional 250 beds with local jails. These beds must be contracted with local jails because the Department's approved external capacity request brought the population of the State's currently contracted private prisons to full capacity.

Table 2: Total FY 2017-18 Prison Bed Need					
	Number of Beds/Offenders	Days per Year	Total Bed Days		
Total Projected Average	17,969	365	6,558,685 (a)		
Daily Population					
Current State Bed Capacity	14,174	365	5,173,510 (b)		
(less 2% vacancy)					
Current Private Bed	3,483	365	1,271,295 (c)		
Capacity					
Total Bed Days Funded (d =	17,701	365	6,460,865 (d)		
$\mathbf{b} + \mathbf{c}$					
Beds Days Needed Above			113,880 (e)		
Currently Funded Level (e =					
a - d)					
	DOC's Proposed Plan (e =	$=\mathbf{f}+\mathbf{g}+\mathbf{h}$			
Leased Private Prison Plan	245	61	14,945 (f)		
(less 2% vacancy)					
Additional Private Bed Need	392	365	143,100 (g)		
(Approved on 1/23/17)					
Moving Women Out of Local	(121)	365	(44,165) (h)		
Jails (Approved on 1/23/17)					
Tota	al Bed Need After JBC Action or	1/23/18 ($i = e - g - h$	1)		
	245	61	14,945 (i)		



Department:	Health Care Policy and Financing
Title:	S-09 Single Assessment Tool Financing

	FY 2017-18 Appropriation	FY 2017-18 Supplemental Request	JBC Action	Comeback Request	Difference Between Action and Comeback Request
Total	\$1,820,200	(\$830,699)	\$0	(\$830,699)	(\$830,699)
FTE	0.0	0.0	0.0	0.0	0.0
GF	\$852,020	(\$526,944)	\$0	(\$526,944)	(\$526,944)
CF	\$0	\$0	\$0	\$0	\$0
RF	\$0	\$0	\$0	\$0	\$0
FF	\$968,180	(\$303,755)	\$0	(\$303,755)	(\$303,755)

Summary of Initial Request:

The Department requested the reallocation of appropriated funds between fiscal years and roll forward authority for all contractor work to complete projects related to developing and implementing the new single assessment tool as required by SB 16-192 "Assessment Tool Intellectual and Developmental Disabilities".

Committee Action:

Joint Budget Committee tabled the vote to approve the request out of concern that approving the timeline would delay the implementation of the single assessment tool and approval of the request for rollforward authority on funding would limit oversight by the Committee.

OSPB Comeback:

OSPB requests approval of the Department's request as submitted. The Department will be unable to fully expend its appropriation during FY 2017-18, but it can spend the full amount during FY 2018-19 and FY 2019-20 without delaying implementation of the single assessment tool.

To implement SB 16-192 "Assessment Tool Intellectual and Developmental Disabilities", the Department needs to shift funds between fiscal years to ensure that the contracts needed to finalize development of the new comprehensive tool can be procured and executed timely. The movement of the funds would not delay the Department from finalizing implementation of the new assessment tool in FY 2020-21, as assumed in the fiscal note for the bill. Rather, the movement of funding would allow the Department to properly sequence contractor work to determine new eligibility thresholds and establish reliability before additional components of the tool are developed. Without establishing reliability first, items used for determining how much support a person may receive will not be dependable and could lead to over or under authorization of services. The new tool takes into consideration a wide variety of factors to determine clients' needs, such as behavior support needs, employment interest, and caregiver needs. Because of the complexity of the new assessment tool, the tool requires extensive piloting and testing to mitigate unintended consequences. The fiscal note for

the bill did not provide any new funding for increased utilization of services, and so the Department's implementation must be budget neutral.

The primary adjustment requested by the Department for FY 2017-18 is to shift funding for the rates and algorithm contractor to FY 2018-19 and FY 2019-20. This contract is integral to the implementation of the single assessment tool as the contractor will be tasked with determining resource allocation and the potential for the tool to replace current resource allocation tools, including the Supports Intensity Scale (SIS). However, eligibility components of the new assessment tool must be tested, verified and adjusted as necessary to ensure reliability of the tool before the resource allocation components can be determined. As such, the Department needs to pilot the new assessment tool before procuring the rates and algorithm contractor. Without the approval of the request the Department would revert the funding necessary to implement this essential component as it cannot shorten the time it takes to pilot the new tool without risking negative consequences on clients. Additionally, the timeline for implementing the new tool may need to be extended as it is likely the Department would need to work through the budget process to request funding in FY 2018-19 to complete the work required to establish reliability of the tool and develop resource allocation.

Additionally, the Department is asking for roll forward authority for each of the four years. Implementation of the bill requires many contemporaneous efforts that overlap fiscal years and have varying completion timelines. Roll forward authority allows for the Department to procure contracts that allow for deliverables to be completed as needed, as opposed to forcing work to be completed (or stopped) by June 30, regardless of the relation of the work to the project. This is especially important for the automation of the new tool in the Department's new case management system as the timeline for that integration is likely to change. Therefore, the Department has requested roll forward authority for all spending related to implementation of SB 16-192. If the request is not approved, the Department would revert the unused appropriated funds each year and a timely implementation of the single assessment tool would be at risk.

Background Information:

In FY 2014-15, the Department received grant funding to test and help develop a new functional assessment tool in order to replace the current tool, the ULTC 100.2, prior to the passage of SB 16-192. As part of this grant, and another received to broaden these efforts, the Department and its contractor reviewed Colorado's long-term care programs as well as the national landscape to assess best practices and available functional assessment tools and support planning tools that would work in Colorado.

In FY 2015-16 the Department selected, with stakeholder input, the MnCHOICES tool and began customization to ensure the tool would assess clients' needs accurately for Colorado's programs.

Senate Bill 16-192 directed the Department to select and implement a single tool with the broader intention of replacing current assessment tools for children and adults looking to receive long-term services and supports. Utilizing funding appropriated through SB 16-192 in FY 2016-17, and the grants which included work in FY 2015-16, the Department conducted a broad range of stakeholder outreach including 21 adult-focused and 8 children-focused meetings, as well as 14 public forums in order to ensure that the tool developed is comprehensive and person-centered for all populations as directed by the bill.

In FY 2017-18, the Department is currently in the final stages of development and customization of the new tool. This process has been slightly delayed from the original timeline because the component replacing the ULTC 100.2, the Functional Assessment Standardized Items (FASI), was not released by the Centers for Medicare and Medicaid Services (CMS) until December 2017. This component is essential to the development of the new comprehensive tool and must be integrated in the MnCHOICES and customized before piloting of the new tool can begin. With approval of the request, the Department would begin piloting the tool to establish reliability in FY 2018-19 and would utilize the resources shifted from FY 2017-18 to develop the resource allocation components of the tool through the rates and algorithm contractor. The Department anticipates that it would begin training case management agencies in FY 2019-20 and that client reassessments with the new tool, signifying full implementation would begin that fiscal year and could be completed in FY 2020-21.

Department:	Department of Human Services
Title:	S-01c/R-05d Purchased Bed Capacity

	FY 2017-18 Appropriation	FY 2017-18 Supplemental Request	JBC Action	Comeback Request	Difference Between Action and Comeback Request
Total	\$0	\$275,596	\$20,849	\$275,596	\$254,747
GF	\$0	\$275,596	\$20,849	\$275,596	\$254,747
CF	\$0	\$0	\$0	\$0	\$0
RF	\$0	\$0	\$0	\$0	\$0
FF	\$0	\$0	\$0	\$0	\$0
Med. CF	\$0	\$0	\$0	\$0	\$0
Med. GF	\$0	\$0	\$0	\$0	\$0
Net GF	\$0	\$0	\$0	\$0	\$0

Summary of Initial Request:

The Department originally requested \$275,596 General Fund and 0.3 FTE in FY 2017-18 for resources necessary to implement the FY 2018-19 bed capacity expansion by an additional 10 beds through contracts with local hospitals. The Department submitted a request to expand bed capacity by 10 beds as a FY 2018-19 funding request, which, if approved, is effective July 1, 2018. In order to be operational by July 1, 2018, the resources requested within the supplemental are crucial.

Committee Action:

The Joint Budget Committee (JBC) approved the request in part, approving the two-person transport team for \$20,849, but denied the start-up costs and the 1.0 FTE Administrative Assistant position.

It was noted that JBC staff, at this time, does not recommend approving the requested funding for the Administrative Assistant position and staff is not prepared to commit to recommending the \$3.2 million requested for the purchased beds for FY 2018-19.

OSPB Comeback:

OSPB appreciates the opportunity to explain the consequences of denying this supplemental funding request. Funding for start-up costs and FTE will allow the Department to issue an RFP and make necessary modifications to the space to expand bed capacity by July 1, 2018. If the supplemental request is denied and the Department does not receive additional funding to expand bed capacity until July 1, 2018 (assuming the FY 2018-19 decision item is approved), then the Department will not be able to complete these preliminary activities until then and expansion will be delayed until approximately October 2018.

The Department of Human Services is at risk of non-compliance with the terms of a settlement agreement related to individual wait times for court-ordered competency evaluations and restorations.

The settlement agreement with the Center for Legal Advocacy sets forth specific timeframes to offer admission to CMHIP for inpatient competency evaluations and restoration treatment. The Department is legally required to adhere to the settlement agreement filed in federal district court that requires that "the Department shall offer admission to pretrial detainees to the hospital for restorative treatment or inpatient competency evaluations no later than 28 days after the pretrial detainee is ready for admission."

The Department has reviewed the projected bed needs to meet average daily attendance (ADA) and the demand continues to show growth from needing **45** additional beds in FY 2017-18 to **102** in FY 2018-19. If the problem is not addressed, the Department is at risk of violating the terms of the settlement agreement and the State could be at risk for further legal action regarding wait times for admissions as well as fees and fines. Additionally, the wait list will continue to grow, placing increased pressure on the Department with regard to the number of inpatient beds required to be in compliance with the settlement agreement.

As stated in the supplemental request, the Department requires \$250,000 for vendor related start-up costs. These funds are needed to modify the physical location of the program to better suit the population we intend to serve with the contracted beds. A vendor may not respond to the bid if funding is not provided for this purpose. The Administrative Assistant position will provide critical services and the workload to both implement a new program and continue to support the program as individuals are transferred between agencies constitutes a significant amount of work. The requested FTE and vendor costs are necessary to begin preparing for a start-up date of July 1, 2018.

To reiterate, without this supplemental funding, the Department will be unable to utilize the additional bed space until October 2018. Considering the waitlist for court-ordered competency services continues to outpace the supply of available beds, these additional contracted beds are needed as soon as possible in order to help reduce the number of individuals waiting 28 days or longer to receive treatment. The contracted beds are a crucial component of the Department's plan to regain and sustain compliance with the settlement agreement and avoid future litigation, fees and fines.

Department:	Department of Human Services
Title:	S-04 Mitigation of Colorado Child Care Assistance Program Waitlist

	FY 2017-18 Appropriation	FY 2017-18 Supplemental Request	JBC Action	Comeback Request	Difference Between Action and Comeback Request
Total	\$92,147,947	\$14,067,037	\$0	\$14,067,037	\$14,067,037
GF	\$24,791,827	\$4,505,235	\$0	\$4,505,235	\$4,505,235
CF	\$9,899,322	\$1,500,000	\$0	\$1,500,000	\$1,500,000
RF	\$0	\$0	\$0	\$0	\$0
FF	\$57,456,798	\$6,561,802	\$0	\$6,561,802	\$6,561,802
(CCDF)					
FF	\$0	\$1,500,000	\$0	\$1,500,000	\$1,500,000
(TANF)					

Summary of Initial Request:

The Department requested \$14,067,037 total funds, including \$4,505,235 General Fund, \$6,561,802 federal Child Care Development Funds (CCDF), \$1,500,000 cash funds/county match, and \$1,500,000 Temporary Assistance for Needy Families Long-term Works Reserve (TANF LTR) in FY 2017-18. The purpose of the request is to address anticipated county over-expenditure and mitigate the current county waitlists for children and families in the Colorado Child Care Assistance Program (CCCAP) to the greatest extent that available funds allow.

There is a corresponding budget amendment request for FY 2018-19 of \$10,422,447 total funds (including \$4,422,447 CCDF, \$3,000,000 TANF LTR, and \$3,000,000 cash funds/county match in FY 2018-19).

Committee Action:

The Joint Budget Committee heard JBC staff's recommendation for this request and began discussion, but did not yet take action on the request. In the supplemental briefing document from January 24, 2018, JBC staff recommended a supplemental appropriation of \$7,250,000 total funds (including \$4,250,000 federal CCDF, \$1,500,000 cash funds/county match, and \$1,500,000 TANF LTR) and certain changes to CCCAP funding.

OSPB Comeback:

The Office of State Planning and Budgeting respectfully requests that the Joint Budget Committee take action on this request. The administration wishes to renew its original supplemental budget request of \$14.1 million total funds, but the JBC staff recommendation is also an acceptable path forward.

Without additional funding for CCCAP in FY 2017-18, counties will continue to start or maintain waitlists, dedicate other county funds to this program, realize deficits in their CCCAP line, and/or restrict eligibility criteria, in their efforts to manage to their allocation. If overspending of CCCAP continues, counties' only options are to dedicate additional county funds, and/or underspend their TANF programs and dedicate TANF funds for over expenditures.

Department:	Department of Human Services
Title:	Technical Adjustment to ES-04 Grand Junction Regional Center
	Relocation (Approved 1331)

	FY 2017-18 Appropriation	FY 2017-18 Supplemental Request	JBC Action	Comeback Request*	Difference Between Action and Comeback Request
Total	\$22,385,882	\$887,250	\$887,250	\$0	\$0
GF	\$499,467	\$38,000	\$38,000	\$0	\$0
CF	\$2,964,689	\$329,218	\$329,218	\$0	\$0
RF	\$18,511,742	\$520,032	\$520,032	\$0	\$0
FF	\$409,984	\$0	\$0	\$0	\$0

^{*}This request moves a portion of an approved 1331 to the correct line item, so there is no net funding change.

Summary of Initial Request:

The Department's FY 2017-18 1331 Supplemental Request ES-04 requested spending authority of \$887,250 total funds in FY 2017-18 for the Department to implement S.B. 16-178 by relocating administrative functions off of the Grand Junction Regional Center (GJRC) campus. Of the request, \$200,000 reappropriated funds for leased space was requested in the incorrect line item.

Committee Action:

JBC approved the original 1331 request in October 2017. This comeback request is meant to correct a portion of the allocation originally requested for the incorrect budget line.

OSPB Comeback:

This is a net zero technical adjustment to properly align spending authority approved in DHS ES-04, Grand Junction Regional Center Relocation for leased space. The Office of State Planning and Budgeting requests that the Committee authorize the technical adjustment to move \$200,000 reappropriated funds from line 9(A)(2), Services for People with Disabilities, Grand Junction Regional Center Intermediate Care Facility to line 9(E) Services for People with Disabilities, Indirect Cost Assessment. This will ensure that spending authority will be properly aligned in the correct line item. This change also aligns with the Department's FY 2018-19 budget amendment request BA-13, Grand Junction Campus Relocation Administrative Lease, submitted January 2, 2018.